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day, Nov. 16, 1899, at 2 o'clock p. m., to which friends are invited. The burial will be private. FINANCIAL.

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FOR SALE. FOR SALE-Coal, coke and wood. C. F. HUNT CO. Both 'phones, 1169. FOR SALE-Ten R.I.P.A.N.S for 5 cents at Druggists; one gives relief.

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FOR RENT. FOR RENT-House of eight rooms, 1506 North Pennsylvania street. H. C. SHERGENS, 301 East Washington street.

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WANTED-MALE HELP. WANTED-For U. S. Army; able-bodied unmarried men between ages of 18 and 35, of good character and temperate habits. For information

apply to Recruiting Officer, 25 N. Illinois st., In-dianapolis, Ind. WANTED-MISCELLANEOUS. WANTED-Clinics at Central College of Dentistry; charge for material only, open all day. Corner Ohio and Illinois streets.

CLAIR VOYANT. CLAIRVOYANT-Call and see Mrs. Griswold and convinced there is one person in the world who knows every secret wish of your heart, your every trouble, hope and anxiety. Gives full de-tall to past, present and future life. 546 East South street.

LOST. LOST-Small female pointer, white with liver colored spots. Answers to name of Fanny. Reurn to 311 East Michigan street. Reward.

LEGAL ADVERTISEMENTS. PETITION OF BANKRUPT FOR HIS

DISCHARGE. In the matter of Martin Matz and John N.

No. 342. In bankruptey. District of Indiana, ss. On this 30th day of October, A. D. 1899, on reading the petition of the bankrupt for his disharge, it is ordered by the court that a hearing be had upon the same on the 6th day of December, A. D. 1899, before said court at Indianapolis. in said district, at 9 o'clock in the forenoon, and that notice thereof be published twice in the Indianapolis Journal, a newspaper printed in said district, and that all known creditors and other persons in interest may appear at the said time

d place and show cause, if any they have, why

the prayer of the said petitioner should not be And it is further ordered by the court that the clerk shall send by mail to all known creditors es of said petition and this order, addressed them at their places of residence as stated. Witness the Honorable John H. Baker, judge of said court, and the seal thereof at Indianapolis, in said district, on the 30th day of October, NOBLE C. BUTLER,

[SEAL.] PETITION OF BANKRUPT FOR HIS

DISCHARGE. In the matter of David Kabacker, bankrupt. No. 35. In bankruptcy.

Clerk.

District of Indiana, sa On this 30th day of October, A. D. 1899, on readng the petition of the bankrupt for his discharge, it is ordered by the court that a hearing be had upon the same on the 6th day of December, A. D. 1899, before said court, at Indianapolis, in said district, at 9 o'clock in the forenoon, and that notice thereof he published twice in the Indianapolis Journal, a newspaper printed in said listrict, and that all known creditors and other persons in interest may appear at the said time and place and show cause, if any they have,

why the prayer of the said petitioner should not And it is further ordered by the court that the clerk shall send by mail to all known creditors sopies of said petition and this order, addressed to them at their places of residence as stated. Witness the Honorable John H. Baker, judge of said court, and the seal thereof at Indianapois, in said district, on the 30th day of October, NOBLE C. BUTLER. [SEAL.]

Roberts Park Revival.

The revival meetings which are being held at Roberts Park Church are being well attended, and last night five more converts were added to the rolls of the church. At last night's meeting Dr. Quayle was the principal speaker and he had for his subject "The Things that Remain," which he discussed in a very forcible manner. After Dr. Quayle finished Rev. C. E. Bacon, who is conducting the services, delivered an exhortation.

Rebert Ball and the Overcont.

Robert Ball was arrested last evening, charged with petit larceny. He entered the St. Nicholas Hotel late in the afternoon, and, seeing an overcoat hanging on a convenient hook, was suddenly imbued with the idea that he needed the garment, as winter was rapidly approaching. Seeing his way clear, he walked out with the garment. but came to grief later when arrested by

TO SAVE DOCTORS' BILLS

THE RESIDENCE OF THE PARTY OF T

NEED OF SKILLED LABOR

TRAINED WORKMEN OF THE FIRST CLASS DIFFICULT TO OBTAIN.

George L. Bradbury Likely to Be Made President of the L. E. & W. -General and Personal Notes.

Much is heard about the car famine and the labor famine confined to the effect on improvement work on railroads, but nothing is said about the equally important effect of the labor famine on traffic. Railway managers, in commenting on the car shortage, are neglecting to observe that more equipment would be valueless without more men to handle it. Almost any kind of labor or men of any nationality will do almost any kind of rough work like that of section men or manning construction trains, but skilled men are needed to run the trains and move business without accident when roads are filled with traffic. The activity in business has created a new demand for train hands and other trained employes, and these cannot be obtained on the street, nor can they be imported. At present the operating and traffic forces of the country are, almost to a man, employed, and a large per cent, of the traffic men are working overtime. Inquiry would show that they are about as well distributed over the country as they well could be, and for that reason it is questionable whether the railroads, even with more cars and better facilities, could immediately undertake to do much more business. The oldest and best-informed railway officials state that there has never been a time when the railroads' were furnishing so much work for common laborers and for skilled men as now, and from many in the city yesterday on official business. parts of the country comes complaint that a good quality of labor is not obtainable. Present conditions strikingly demonstrate pany. what an important industry to the country are its railways, no one interest distribut-ELDER-Mrs. Amelia A. Elder, wife of John R. ing as much money as comes from this Elder, died Tuesday. Nov. 14, 1899, at 12:05 source, and in these times of gigantic a. m., at the family residence, No. 350 East New strides in improving roadbeds and equiment the railways have become a great distributor of money to the common laborers, as well as to skilled labor.

Commerce Commission Rulings.

The Interstate-commerce Commission yeserday announced its decision in the case of the board of railroad commissioners of the State of Kansas against the Atchison, Topeka & Santa Fe Railway Company and other carriers. The main points decided by the commission are as follows: The changes which have taken place in conditions governing the transportaion of wheat and flour from Kansas points to destinations in Texas are not sufficient to warrant interference in this case with the differential making the rate 5 cents higher on flour than on wheat, which was approved by the commission in Kauffman Milling Company against Misouri Pacific Railway Company. Carriers of corn and corn meal from Kansas points to destinations in Texas enforce a differential of 7 cents per 100 pounds more on corn meal than on corn. and such difference prohibits the shipments of corn meal ground at Kansas points into Texas territory. It is held that the differ-ence in rate of 7 cents against corn meal and in favor of corn unjustly discriminates against Kansas millers, and that the differential should not exceed 3 cents per 100

Several defendant carriers engaged in ransporting wheat and corn from points in Kansas and Missouri and intermediate points to Galveston and New Orleans make lower export rates on those commodities rom Kansas City, Mo., or points in that vicinity than from some of the intermediate stations on their respective lines. It is held that the higher rates from such intermediate points subject those localities to undue prejudice and that if the carriers are allowed to make these low export rates they should, in making them, reat all intermediate territory alike and desist henceforth from charging higher rates from the nearer stations than those in effect from the more distant points.

The Vandalia Receivership.

Monday ended the third year of the receivership of the Vandalia lines, and in commenting on this fact the Terre Haute Express says: "Mr. Malott has made a splendid record since he has had control of the company's affairs. The earnings of the road for the fiscal year ending June 20, 1898, according to the report of the Interstatecommerce Commission, was \$4,159,265, and during the succeeding months the earnings of the road under his management have exceeded this amount. The operating officials associated with Mr. Malott are all men at the head of their profession, and the excellent earnings made by the road are in large measure due to their able assistance. The financial and operating tested by the annual reports.

departments work in the greatest harmony and to the greatest good. That there is absolutely no friction between the two important divisions of management is at-"Railroad men dislike to prophesy just when the receivership will be terminated. The Pennsylvania officials are said to be highly pleased with Mr. Malott's man-

agement of affairs and to have advanced the statement that he would be retained for some time to come."

With the death of James Gross this week of the Panhandle at Logansport. Mr. Gross had the longest record of continuous service of any of the men there and his death was felt in every department of the Logansport division from superintendent's office lown. James Gross brought to Logansport the first locomotive which was ever run out of the city. He came along with that historic engine, which was brought on a canal boat and transported over the river to the old Richmond tracks, which then terminated on the south banks of the Wabash river opposite Biddle's island, and it was his hand which held the throttle for that engine's first trip. Mr. Gross ran an engine for a in the shops, which he occupied creditably for years. For the past ten years he had been in charge of the oil room at the Panhandle station. His death takes away the only person who was connected with earliest train service out of Logansport and who had been connected with the service from that time to this.

Monon Buys Coal Lands. L. T. Dickason, vice president of the Monon Railway Company, was in Linton Monday and closed deals for several hundred acres of coal land lying about one mile north of town. The conclusion of these deals promises well for Linton. It is the general impression that the Monon Company will extend its line to that coal field. It is said a deal has been completed by the Illinois Central and the Monon Company whereby the latter will come into pososession of that portion of the old L. & I. S. road, now the property of the Illinois Central Company, from Switz City to Linton, and that Linton will be the terminus of the Effingham branch of the Illinois Central. What lends color to this report is the statement that the Central people were given privileges at Linton by the Southern Indiana in consideration of crossing privileges by the former company.

A Bar to Recovery of Damages. Judge Colt, in the United States Circuit Court, at Boston, yesterday, decided that an employe of a railroad, injured while riding on a pass given him by a corporation. even if it was a part compensation for his services, could not recover damages. The case was that of C. A. Whitney, a baggagemaster, against the New York, New Haven & Hartford Railroad. The plaintiff claimed he was seriously injured in a wreck on May 7, 1896, and sought to recover \$25,600 damages. Judge Colt, in his decision, said: "One of the conditions of the employe's pass being that the employe expressly agrees that the company shall not be liable under any circumstances for any injuries of person, it follows that the plaintiff cannot recover in the present action."

A., T. & S. F. Extensions.

New York representatives of the Atchison, Topeka & Santa Fe say that present indications point to the completion of the Atchison's own line into San Francisco by Jan. 2. About eighty miles of track will then have been completed from Stockton, Cal., to Point Richmond on San Francisco bay. The Atchison will also have its own terminals, trains being ferried across

Atchison system is going forward with celerity in Oklahoma and the Indian Terri-The Kansas, Oklahoma Central & Southwestern Railway was projected to extend from Havana, Kan., via Clancey, Kan., and Bartlesville, I. T., to Collinsville, I. T., a distance of 561/2 miles. Another extension is also under way from Hunnewell, Kan., to Tonkawa.

Big Four May Declare a Dividend. The directors of the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company held their annual meeting in Cleveland yesterday and re-elected the old board of officers. Resolutions of condolence on the death of Cornelius Vanderbilt were passed. No action was taken in regard to filling the vacancy on the board of direc-tors caused by Mr. Vanderbilt's death. President M. E. Ingalls said to a reporter hat the company was in excellent financial shape, although not ready to declare a dividend. He added that he thought a dividend would be declared in February or early in March. No dividend on the common stock, which amounts to \$27,987,835, has been declared since 1893, when 3 per cent. was dis-

Will Be President of the L. E. & W. It is stated on good authority that with the return of Frederic W. Whitridge, chairman of the board of directors of the Lake Erie & Western, from Europe next month the directors will elect George L. Bradbury now vice president and general manager. president of the company, a position which ias been vacant since the death of the late Hon. Calvin S. Brice. It is stated that the directors feel that Mr. Bradbury is en-titled to such promotion, so much ability has he shown in managing the property under disadvantages.

Personal, Local and General Notes. The Eastern Ohio road will be extended from Lore City to Freeport, a distance of

twenty miles.

Employes in the shops of the Vandalia at Terre Haute are considering a co-operative scheme to operate a grocery store. Benjamin Keisey, city ticket agent of the Big Four, has been so ill for a couple of days as to confine him to his home. L. G. Rawn, general superintendent of the Baltimore & Ohio Southwestern, was W. M. Lampton, general agent of the

assistant general freight agent of the com-On Sunday the Panhandle delivered to the Pennsylvania lines at Pittsburg ninety carloads of live stock shipped from the southwestern division.

Denver & Rio Grande, has been appointed

It is reported that J. J Frey, general manager of the Santa Fe lines, has tendered his resignation, to become effective as soon as his successor is appointed. The Grand Rapids & Indiana is building at Grand Rapids an electric plant much similar to the fine one just completed at Fort Wayne by the Pennsylvania Com-

The Erie is having another survey made for a line connecting with its Jefferson branch at Brandt, which will materially shorten the distance between New York The new fast train of the Illinois Cen-

tral leaves Memphis at 7 a. m., reaches St. Louis at 4:30 p. m. and Chicago at 9:40 p. m., the fastest time ever made between the points named. L. F. Loree, general manager of the Pennsylvania lines west, and John F. Miller, general superintendent of the Southwestern ystem, were in the city yesterday, going

home to Louisville. Samuel Moore, passenger conductor on the Grand Rapids & Indiana, secured a month's leave of absence and yesterday left for Joplin, Mo., to look after mining property in which he is interested. D. M. Philbin has been appointed super-

intendent of the Eastern Minnesota & West Superior in place of G. T. Slade, who has resigned to go abroad with his family. Mr. Philbin is second vice president of the com-The railroads entering Atlanta have de-

cided to merge their terminal interests and appoint a superintendent of terminals. C. Harman, general passenger agent of the Western & Atlantic, has been offered the The Pittsburg division of the Pennsylvania is a difficult one to make fast runs on, but last week one of the company's

new engines hauled the heavy limited from Irwin to Altoena, 95.2 miles, in two hours and one minute. Superintendent McGuire, of the Eastern division of the Erle, has issued an order providing that no engineer or fireman shall be called within eight hours after making a This has been done to insure sufficient

rest to the men. On his trip over the Michigan division of the Big Four General Manager Schaff found the remodeled depet at Elkhart six feet further east than the property line and ordered it moved back, requiring the relaying of the foundation.

Freight Officials Vallery, of the Chicago, urlington & Quincy; Carroll, of the Union Pacific; Laird, of the Chicago Great Western; Forester, of the Indiana, Illinois & Iowa road, and Bemus, of the Queen & Crescent, are in the city. Master Mechanic Coburn, of the Monon lines, was in the city yesterday looking after repair work at the Indianapolis shops. He says the mainline shops are working full time and full-handed, and traffic is so heavy it requires a good deal of work for

W. C. Arp, superintendent of motive power of the Vandalia lines, and wife have gone to Williamsport, Pa., being called there by the sudden death of Mrs. Arp's father, Hon. John F. Meginness. A short time ago Mr. Arp and wife attended the golden wedling of her parents.

B. F. Stark, who has been agent of the Pittsburg & Lake Erle at Homestead, has resigned, and the freight and passenger departments separated, J. C. Adler being-appointed freight agent and S. D. Aiken ticket agent. Mr. Stark had held the

agency seventeen years. The Lake Erie & Western last April car works, Michigan City, for 1,000 box cars, all to be delivered by Sept. 1, and yet the there was the passing of the oldest employe | works have to deliver 400 cars. The L. E. & W. pecple are pushing the works for the cars yet to be delivered.

The two vestibuled trains running over the Cincinnati, Hamilton & Dayton and Monon lines, which have been on twelve years, were the first complete vestibule trains, will be rebuilt square vestibuled. with an observation room on the end of the rear car and made up to date in every

Frank Reed, general passenger agent of the Monon lines, was in the city last evening en route to Cincinnati. Mr. Reed states that not only are the freight earnings largely exceeding those of any former year, but he was unable to enumerate his visits to the he revenue from passenger business for long time and was afterwards given a place 1899 will largely exceed that of any former year in the road's history.

The Big Four has made a second shipment of machinery to the Hawaiian islands. The shipment of thirty cars, which was started on the long journey last week, had to be broken at Chattanooga, to which place it was run as a solid train. The train was too heavy to pull over some of the grades on the Queen & Crescent. The Erie, which has for years received a large share of the Pennsylvania Coal Company's profits, will shortly lose this source of revenue, as the coal company has become independent of the Erie and owns and operates a road of its own, the new line being eighty-one miles in length

and opening up a large scope of new anthracite coal territory. The Boston Transcript says: "An arrangement has been made by which the form of the lease of the Boston & Albany Railroad to the New York Central has been made satisfactory to the so-called protective committee. An addition of \$1.500,000 has been made to the cash to be paid by the New York Central Railway. The protective committee has decided that, under all the circumstances, it is for the best interest of the property and the stockholders that

the lease should be ratified." The twelfth annual meeting of the Guaranteed Ticket Brokers' Association began in Detroit yesterday, with about sixty mem-Little was done yesterday other than the reading of reports. The excutive committee had adjusted all the laims against the members and the assodation to the amount of \$3,000. The fund to fight the anti-scaiping measure in Congress will be increased to \$10,000. This, with the amount raised by the other association, will give the brokers \$20,000 or more to test the constitutionality of the law if the bill

terday resumed its hearing, at St. Louis, of the complaint of the St. Louis Business Men's League against Western railroads. Former Governor Joseph Fifer, of Illinois, recently appointed a member of the commission, was sworn in and took part in the proceedings, A. J. Van Landingham, representing 2,300 merchants of St. Louis, filed as exhibits all the tariffs and documents which he used in his testimony, These included certified records of meetings at which references to a contract between the railroads and Pacific coast jobers were made. Attorney Pillsbury, representing the Pacific Coast Merchants' and Manufacturers' Association, endeavored to show that the complaint was based on a mere selfish business interest and the desire of St. Louis jobbers to extend their territory.

R. E. Springsteen & Co., popular-priced the bay. Other new construction for the tailors, 9 North Pennsylvania street.

THAT SHE EVER SAT IN A HAMMOCK WITH OLIVER H. HENRY.

The Argument Will Be Reached Some Time To-Day-Batch of Criminal Court Cases-Other Court Gossip.

It is expected that the argument in the damage suit of Oliver H. Henry against William Henry Harris, which has been on trial for several days in Room 2, Superior Court, will begin some time this morning. The case may go to the jury this evening. The defense yesterday completed the examination of the woman whose affections are supposed to have been alianated by Harris. On cross-examination she was asked but few questions.

The plaintiff's attorneys devoted most of the day to taking evidence in rebuttal. One of the principal witnesses called was Mrs. Ida Nichols, who is at prevent living in Pittsburg, Pa. Mrs. Nichols is a milliner and while staying in this city several years ago boarded at the home of Mrs. James Lemmon, on Bellefontaine street. Mrs. Lemmon is the mother of the present Mrs. Harris, who was formerly Mrs. Henry. At the time Mrs. Nichols lived with the Lemmons Henry and his wife were living there. In her testimony yesterday Mrs. Nichols flatly denied that she and Henry ever sat in a hammock together with Henry's arms about her. She also denied that Henry once asked her to meet him down town some afternoon. These things had been testified to by witnesses for the defense to show that Henry was not true to his wife. The attorneys for the plaintiff read a deposition from a Muncie woman, in which she denied that Henry ever attempted to peep through the transom of a bathroom while she was bathing at the home of Henry's mother-in-

HIGH COURT DECISIONS.

Remonstrance Signed by an Attorney

Legal-The Other Cases. The appeal of Charles Cochell against Louis C. Reybols was filed yesterday in the Supreme Court. The appeal is to the against her for \$300. effect that a remonstrance signed by an attorney is just the same as if it had been signed by the remonstrator himself. Cochell applied to the commissioners of White county for a license to sell liquor and was refused because a majority of the legal voters of his township had executed a power of attorney to two lawyers which authorized them to sign a written remonstrance to the sale of liquor in the township, which was afterwards filed with the commissioners. He appealed to the Circuit Court and afterwards to the Supreme Court.

The Appellate Court reversed the judgment for \$951 recovered by James Sweetzer against Sterling R. Holt. Holt claimed he had signed a note as the president of the Brazil Ice and Cold Storage Company. The court held that there was such ambiguity in the note that Holt should be allowed to show that he signed the note as the president of the Brazil Ice and Cold Storage Company only, and reversed the opinion of the lower court.

The Appellate Court affirmed the judgment of \$1,500 recovered by the heirs of the estate of Robert F. Meloy against Columbus B. Harrod and his bondsmen as administra-tor of the estate of Meloy. Harrod had agreed to prosecute an action against a railroad on account of injuries received by Meloy, for which he was to receive onehalf the amount recovered as a fee. A second contract was made with another attorney, who was .o receive one-fourth of the amount collected. Meloy died. Harrod was appointed administrator and paid himself one-half of the amount recovered and the other lawyer one-fourth of the amount left. The court decided that under the new contract only one-half of the money re-covered ought to be used in payment of share with the other attorney. The judgment of \$375 recovered by Sylves-ter Taylor against Louis T. Loucks was affirmed by the Appellate Court. The amount recovered was for damages in a matter whereby Loucks induced Taylor to buy certain property by false pretenses. The sentence of Alonzo Oats, convicted of assault and battery on his brother-in-law, was affirmed by the Appellate Court. His

fourteen years. CRIMINAL CASES HEARD. John A. Hughes Arraigned for For-

sentence was for a period of not more than

gery-Disposition of Other Cases. In the Criminal Court yesterday John A. Hughes, nineteen years old, was arraigned on the forgery charge and Judge Alford sent him to the workhouse for six months. The case was an unusual one. Hughes, it was said, was some time ago released on parole from the Hospital for the Insane and has not yet been finally discharged. He forged the name of M. W. Mansfield to a check and disposed of the check to Dr. Thomas Culver. It seems that Hughes's mother owed Dr. Culver for medical services and her son, in payment of this bill. turned the forged check over to the physician, receiving several dollars in change. Judge Alford also disposed of several other cases yesterday. Joseph Vincent,

fourteen years old, presented a distressed pearance when brought into court. had scarcely clothing enough to cover him | ments remained to be paid; that all of said and what he had on was the worse for wear. statements were false and known to be The boy was charged with larceny. It was false by defendant at the time he made claimed that he assisted in stealing a horse | them; and that at the time of the making and buggy. At the time the theft was com- of the contract with the defendant the asmitted the boy's parents lived here, but after he was sent to jail they moved from the city. He knows they have gone to Missouri, but has no knowledge as to their exact location. Judge Alford sent the prisoner to the Reform School for Boys. William Walters, colored, pleaded guilty to entering the residence of James Lodge. 29 North Pennsylvania street, on Nov. 4. He was caught in the house by Mrs. Lodge, who held to him until assistance arrived. Walters is about nineteen and has been sent to the workhouse so many times that county institution when asked to by Judge

Tuxiana Gains, who appears to be afflicted with kleptomania, pleaded guilty to larceny and was sent to the woman's prison for a term of from one to three years. She was charged with the theft of some clothing

and a ring. The cases against Charles Myers and James McDaniels, who were charged with 'holding up" two druggists some time ago, were both disposed of. Myers was sent to the Indiana Reformatory for a term of from one to three years and McDaniels received a similar sentence in the State Prison.

HER MAIDEN NAME RESTORED. Judge Allen Grants a Divorce to Young Zora Bell Perigo.

Judge Allen, of the Circuit Court, yesterday granted a divorce to Zora Bell Perigo and restored her maiden name, Zora Bell Padgett. The plaintiff is a young woman of pleasing appearance and looked to be about eighteen. The evidence showed that she was married to Oscar T. Perigo when she was fourteen years old, and that he abused her and failed to support her. Her mother told the court that she entered a strong objection to the marriage of her daughter on account of her youth, but Perigo, being a violent lover, declared that he was not permitted to marry Miss Padgett at home, he would run off with her. Mrs. Padgett said she counseled with her father, who advised that she allow the marriage to proceed without interference. Perigo and his young wife had their final trouble over a trivial incident. One evening Mrs. Perigo announced her intention of going out for a short time and her husband declared that she should not go. The eviience showed that he became so angry that he threatened to shoot his wife and went so far as to pick up a weapon. He laid it down, however, and struck at her. The next morning he left her. Perigo was not in court when the divorce was granted.

POLICE COURT SLATE.

J. H. Ford Is Bound Over and Several

Other Cases Are Tried. In Police Court yesterday Julius H. Ford, charged with stealing a diamond ring from Laura Best, waived examination and was bound over to the grand jury. Bond was first fixed at \$2,000 and then reduced to \$1,000. Judge Daly, after binding Ford over, fixed his bond at \$1,500. He went to jail again in default of bond.

DENIAL OF A MILLINER grand jury and bond fixed at \$1,000. Mcago with a horseshoe. to force his way into the rooms of one of Mitchell's tenants, waived examination and was held to the grand jury. City Hospital physicians think Phillips will recover. the Big Four Railroad, was tried for wife desertion. Mrs. Morgan, who is twenty-four years of age, is ill at 1008 Harlan street, and was unable to appear at the refused to support his wife and children, compelling them to depend upon neighbors and charity organizations. Morgan visited her last about three weeks ago, and on that occasion, it is said, he showed her a roll of bills, and, though she pleaded for a portion for the children, he told her she would not get a cent. Mrs. Morgan's illness is said to be the result of exposure last winter, when she was left to care for herself. During the coldest weather she had her by neighbors to heat the house during the coldest weather.

> Alford. In a decision given by Judge Alford, of the Criminal Court, yesterday, he held the union label law constitutional. The question was raised in the case against Alfred F. Dold, who was charged with violating the union label law. Dold's attorney sought to have the indictment quashed on the ground that the legislative act governing the use of the union label was invalid. The chief reason given by the attorney for this contention was that the punishment for violation of the law is excessive. Judge Alford admits that the punishment is severe, but he holds that it is within the law. Dold's attorney also contended that the law was invalid because it only benefited certain classes and might be termed "class legislation." On this point Judge Alford said that no one class has an advantage over another under this law. It gives any one the right to adopt a label to distinguish his goods from others.

William H. Stringer, receiver of the Eureka Saving and Loan Association, began an action yesterday against Fannie L. Scherer, to recover money paid to her by mistake, in November, 1893. It is claimed the defendant, in withdrawing from the association, was paid \$132.80 too much on account of an error. The plaintiff is demanding judgment

In the Probate Court. W. L. Hagedon has been appointed guardian of Roy 3. McGinnis, bond, \$500. Collie E. McKinney was appointed guar-

THE COURT RECORD.

Supreme Court. 18462. American Varnish Company Reed. Elkhart C. C. Affirmed. Monks, J .-In an action to set aside a conveyance as fraudulent the burden is on the plaintiff to establish the fraud of the defendants as complained of. 2. And such fraud is a question of fact which cannot be presumed. but must be proven. 3. When the facts of a case are consistent with either honesty and good faith or dishonesty and bad faith the presumption of honesty and good faith will prevail. 4. The inference to be drawn from facts and circumstances surrounding a transaction is a question for the trial court and not for this court, unless, perhaps, they are such that only one inference can be drawn. 5. Badges of fraud are merely evidence of fraud.

ington C. C. Affirmed. Jordan, C. J.-1. A paper is considered filed when it is delivered to the proper officer and by him received for the purpose of filing, and the file mark indorsed thereon is merely evidence of the filing. 2. The court may cause to be corrected the file mark on an affidavit so as to delivered to the clerk for filing. 3. In an appeal in a State case where the ruling of the court on a motion is assigned as error in order to present the question to this court, the motion, the ruling of the court thereon, the exceptions thereto and the affidavits in support of the motion must be made a part the attorney fees and that Harrod was to of the record by a bill of exceptions. 4. In order for a judgment to be reversed on account of the variance of the evidence the variance must be a substantial one as might for the same offense. Foode. Motion to set aside dismissal of petition for rehearing overruled.

18630. Heaston vs. Board of Commission-

ing overruled. Appellate Court. 2895. Holt vs. Sweetzer. Clay C. C. Reversed. Henley, J.-Where the payee of a note signs the same after the name of the corporation and attaches the word "Pres." to his signature and afterwards indorses the same "without recourse," such signature and indorsement are sufficient to put an indorsee upon inquiry as to the facts and cir-cumstances attending the execution of the note, and raises such an ambiguity that the person so signing the note may prove by parol evidence his liability thereon 3165. Loucks vs. Taylor. Porter C. C. Affirmed. Comstock, C. J .- In an action to recover damages for false and fraudulent representation made by defendant to plaintiff in a sale of real estate from the former to the latter, which real estate was incumbered by a building association mortgage, and the complaint alleged that the defendant represented that all the loan had been paid except a stated amount, payable in instalments, and that the association had represented to defendant that the loan would to make the law oppressive nor to create be fully paid in seventy-two monthly install- a revenue in fines, but simply to keep the ments; that he had paid thirty-six install- children from the contaminating influences thirty-six insta''

sociation represented to him that the stock would not mature in less than eighty-four months, such statements alleged were statements "of fact." 2524. Harrod vs. State ex rel. Scott C. C. Affirmed. Black, J.-1. Where a pleading is founded on a contract and it is not shown by the pleading whether or not it is in writing it will be presumed to have been a parol contract. 2. Where two or more alleged reasons for a new trial are assigned jointly, or in gross, in the motion as one of the causes for a new trial, all such reasons must be good or such assignment of cause will not be available on appeal. 3. Where it is assigned as a cause in a motion for a new trial that the court erred in giving two or more instructions specified by their numbers, such specification will not be available unless all such instructions are erroneous. 3083. Rosenkrans vs. Nolte. Posey C. C. Dismissed. 3186. Avres vs. Burton. Howard C. Dismissed 2854. Northwestern, etc., Association vs. McPherson, Fulton C. C. Petition for rehearing overruled.

Superior Court. Room 1-John L. McMaster, Judge. Indiana Mutual Building and Loan Association vs. Catherine Stewart; suit to quiet title. On trial by jury. Room 2-James M. Leathers, Judge.

damages. On trial by jury.

vorce. Finding for defendant and judgment against plaintiff for costs. Patrick Hayes vs. Eugene Sheehan et al. appeal. Plaintiff defaulted for failure to appear at trial. Dismissed and judgment against plaintiff for cost of appeal al.; appeal. Dismissed and judgment against plaintiff for costs. Leopold Rauh et al. vs. Christian F. Waterman; bond. On trial by court.

Criminal Court. Fremont Alford, Judge, The State of Indiana vs. John Hughes: forgery and uttering forged paper. Plea of guilty to second count of the indictment; defendant nineteen years old; sentenced to the workhouse for six months and fined \$10. The State of Indiana vs. Tuxiana Gaines: petit larceny. Judgment on former plea of guilty; fined \$1 and sentenced to the women's prison for from one to three years. The State of Indiana vs. William Walters: entering house to commit felony. Judgment on former plea of guilty; sentenced to the Indiana Reformatory for from two to fourteen years. The State of Indiana vs. Charles Myers and James McDaniels; robbery. Defendants

McDaniels thirty-nine years old; Myers fined \$1 and sentenced to the diana Reformatory for from one to three years; McDaniels fined \$1 and sentenced to the State prison for from one to three years. Circuit Court. Henry Clay Allen, Judge. Agnes G. Patterson et al. vs. Northwest-

withdrew their former plea of not guilty and

pleaded guilty; Myers nineteen years old,

John Mitchell, colored, who shot James Phillips Oct. 23 while the latter was trying Julius C. Morgan, formerly employed by trial. Neighbors testified, however, that Morgan earned good wages, but failed and only a borrowed cook stove and fuel given

THE UNION LABEL LAW Is Held to Be Constitutional by Judge

Says She Was Overpaid.

dian of Lizzle Miller and other heirs, bond,

18958. Oats vs. State of Indiana. Huntdisclose the true day or time when it was mislead the defense or expose the defendant to the peril of being put twice in jeopardy 19015. C., C., C. & St. L. Ry. Co. vs. Foode. Marion S. C. Dismissed.
18066. Ellison vs. Braustrator. Wells C. C.

ers. Huntington C. C. Petition for rehear-

Oliver M. Henry vs. William H. Harris;

Room 3-Vinson Carter, Judge. Nellie Long vs. Christopher C. Long; di-Indiana Koerner vs. Charles Whitesell et

ern Underwriters et al.; on insurance policy.





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Estate. Allowed for \$52 at claimant's cost and judgment against claimant for costs. On motion of Schuyler A. Haas, Sherman Steele admitted to bar. Philip Marer vs. William Wambaugh's Estate; claim for \$560. Submitted to court and evidence heard. New Suits Filed.

Minnie S. Martin vs. John I. Martin; divorce. Circuit Court. Marion Bond Company, trustee, George Follett et al.; improvement lien. Superior Court. Room 1. Henrietta Giltner vs. Barnard Giltner: divorce. Superior Court, Room 3 Elizabeth Miles vs. John Miles; divorce. Superior Court, Room 2 Harry B. Burnet et al.; vs. Louis Kominsky; mechanic's lien. Superior Court, Room 1 New Columbus Bridge Company vs. the

B. L. Blair Company; suit on account. Superior Court, Room 2. COLONEL HOAGLAND HERE.

He Has a New Plan for Pushing the Curfew. Colonel Alexander Hoagland, of Louis-

ville, Ky., the author of the curfew law as applied in this city, is at the Occidental Hotel, where to-morrow the meeting of the executive committee of the Boys' and Girls' National Home and Employment Association will be held. The board includes the following people: F. W. Douglass, Prof. D. M. Geeting, Edward J. Robison, C. D. Meigs, William V. Wheeler, Mrs. May Wright Sewall, Mrs. F. A. Blanchard, Mrs. C. M. Walker, M. V. McGilliard, Prof. D. K. Goss and Albert Sabm, of Indianapolis, Ind .; J. B. Larimer, of Topeka, Kan .; F. M. Ferguson, of Kansas City, Mo.; William B. Thayer, of Kansas City, Mo.; C. L. Martin, of Louisville, Ky.

Colonel Hoagland says that the curfew law is growing in popularity and that Indianapolis has not only the best one, but has it administered better than any other city in the world. He says the work of the association is as much in the line of killing odious curfew laws as it is in establishing new ones. He says, in most communities, when it is seen that something of the kind is needed the Councils generally past such strict ones that they become oppressive and obnoxious, and the result is that within a short time they are repealed and do incalculable harm to a good curfew law when it is sought to have it established in those places. He rays in many places he found it specified that fines of \$25 would be assessed against children, even up to the age of eighteen, when caught out after 8 o'clock at night. He has invariably lent his efforts to having a fine of \$1 fixed as the maximum, and then only applied after children have been repeatedly taken home by policemen. He says it is not designed dren from the contaminating influences of the street after dark. He says the association, which has hereto-fore directed its efforts to securing the passage of ordinances in different cities, has reached the conclusion that the work can be better and more quickly done by

dealing with legislatures hereafter, and five laws have been drafted by the association which will ask each State in the Union to pass them when the next legislature meets. In brief they are as follows: First-Compelling officials of cities, towns and villages to detain and restore to their homes of truant and tramping boys and

Second-To imprison all youths apart from Third-To open a free public intelligence office in the respective cities, towns and villages in each county of the State for the purpose of assisting youths in securing homes or employment for themselves or through their parents. Fourth-To protect children in the homes of dissipated, victous and immoral parents. Fifth-The curfew ordinance already referred to.

The first is designed to do away in time

with the tramp evil by stopping the source of supply. The second is intended to reform young boys and girls who have taken their first step in crime. The third is framed to meet the congested conditions in cities and towns and equalize the supply of labor to meet the demands from all sections. The fourth is to give authority for the supervision of children born of disreputable or dissolute parents. "In this city," said Colonel Hoagland where the curfew law has been adminis-

tered in an ideal manner, it has been of mmense advantage, and you would not beleve the stories I hear in all parts of the country complimenting Indianapolis on its curfew law. Superintendent Ouigley told me some time ago that where he formerly was compelled to arrest on an average three boys a week for loitering around the streets at unseemly hours he now rarely has a case at all, and not more in any event than one or two in six months." County Charity Boards. .

County boards of charities were appointed

vesterday in Green and Howard counties.

The members constituting the board in

Green county are George R. Dutton, W.

H. Nesbitt, Fred Hake, Robert Caruthers,

Mrs. Nan B. Wood and Miss Florence

Highee In Howard county Rev. E. A.

Allen, John B. Joyce, Mrs. A. F. Armstrong, Mrs. E. G. House, Mrs. Milton Bell and Mrs. Harry C. Davis.

An Offer of Nurses. Rev. Thomas Nelson, who has charge of he local Pentecost Band, is in communicaion with the Canadian government with a view to sending some of his flock as nurses o the Transvaal. He has assurance from he Canadians that in the next batch of turses to be sent to the seat of war some vill be taken from Indianapolis, and Mr. Nelson is anxious to have his members sail

Bankruptcy Petitions.

with the rest.

Isaac P. Chenworth, a farmer of Franklin township, Wayne county, filed a petiion in bankruptcy yesterday in the Federal ourt. His liablilities are \$586.51; assets, \$560, The creditor's petition of Fannie D. Grooks and Harriet R. Brooks, of Rushville, David McPeak, charged with assault and battery with intent to kill, was sent to the William P. Adkinson vs. Sewell R. Webb's he be adjudged a bankrupt was filed.

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away a cold in the head quickly. Cream Balm is placed into the nostrils, spreads over the membrane and is absorbed. Relief is immediate and a cure follows. It is not drying-does not produce sneezing. Large Size, 50 cents at Druggists or by mail; Trial Size, 10 cents by mail. ELY BROTHERS, 56 Warren Street, Navy Vork.



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